

# House File 685

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1 3 AN ACT  
1 4 RELATING TO AND MAKING APPROPRIATIONS FROM THE HEALTHY  
1 5 IOWANS TOBACCO TRUST AND THE TOBACCO SETTLEMENT TRUST FUND.  
1 6  
1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 8  
1 9 Section 1. HEALTHY IOWANS TOBACCO TRUST == APPROPRIATIONS  
1 10 TO DEPARTMENTS. There is appropriated from the healthy Iowans  
1 11 tobacco trust created in section 12.65 to the following  
1 12 departments for the fiscal year beginning July 1, 2003, and  
1 13 ending June 30, 2004, the following amounts, or so much  
1 14 thereof as is necessary, to be used for the purposes  
1 15 designated:  
1 16 1. To the department of human services:  
1 17 a. Unless otherwise provided, to maintain the  
1 18 reimbursement rate for all noninstitutional medical assistance  
1 19 providers, with the exception of anesthesia and dental  
1 20 services, at the rate provided under the federal Medicare  
1 21 program for such providers during the fiscal year beginning  
1 22 July 1, 2000, and ending June 30, 2001, as specified in 2000  
1 23 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph  
1 24 "a", for the fiscal year July 1, 2003, through June 30, 2004,  
1 25 and to continue the resource-based relative value system of  
1 26 reimbursement under the medical assistance program:  
1 27 ..... \$ 8,095,718  
1 28 b. To maintain the reimbursement rate at the usual and  
1 29 customary rate as established in 2000 Iowa Acts, chapter 1221,  
1 30 section 1, subsection 1, paragraph "b", for the fiscal year  
1 31 July 1, 2003, through June 30, 2004, for dental services under  
1 32 the medical assistance program:  
1 33 ..... \$ 3,814,973  
1 34 c. To maintain the reimbursement rate as established in  
1 35 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
2 1 paragraph "e", for the fiscal year July 1, 2003, through June  
2 2 30, 2004, for hospitals under the medical assistance program:  
2 3 ..... \$ 3,035,278  
2 4 d. To maintain the reimbursement rate as established in  
2 5 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
2 6 paragraph "f", for the fiscal year July 1, 2003, through June  
2 7 30, 2004, for home health care services under the medical  
2 8 assistance program:  
2 9 ..... \$ 2,108,279  
2 10 e. To maintain the reimbursement rate as established in  
2 11 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
2 12 paragraph "g", for the fiscal year July 1, 2003, through June  
2 13 30, 2004, for critical access hospitals under the medical  
2 14 assistance program:  
2 15 ..... \$ 250,000  
2 16 f. To maintain the expansion of home health care services  
2 17 and habilitative day care as established in 2000 Iowa Acts,  
2 18 chapter 1221, section 1, subsection 1, paragraph "h", under  
2 19 the medical assistance program for children with special  
2 20 needs:  
2 21 ..... \$ 1,975,496  
2 22 g. To maintain the expansion of respite care services  
2 23 provided through home and community-based waivers as  
2 24 established in 2000 Iowa Acts, chapter 1221, section 1,  
2 25 subsection 1, paragraph "i", under the medical assistance  
2 26 program:  
2 27 ..... \$ 1,137,309  
2 28 h. To maintain the cost-of-living adjustment as  
2 29 established in 2000 Iowa Acts, chapter 1221, section 1,  
2 30 subsection 1, paragraph "c", for the fiscal year July 1, 2003,  
2 31 through June 30, 2004, for rehabilitative treatment and  
2 32 support services providers under child and family services:  
2 33 ..... \$ 3,243,026  
2 34 i. To maintain the cost-of-living adjustment as  
3 35 established in 2000 Iowa Acts, chapter 1221, section 1,  
3 1 subsection 1, paragraph "d", for the fiscal year July 1, 2003,  
3 2 through June 30, 2004, for adoption, independent living,  
3 3 shelter care, and home studies services providers:  
3 4 ..... \$ 468,967  
3 5 j. To maintain the reimbursement rate as established in

2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
 paragraph "j", for the fiscal year July 1, 2003, through June  
 30, 2004, to service providers under the purview of the  
 department of human services:  
 ..... \$ 545,630  
 2. To the department of human services to continue the  
 supplementation of the children's health insurance program  
 appropriation:  
 ..... \$ 200,000  
 3. To the department of human services to provide coverage  
 under the medical assistance program to women who require  
 treatment for breast or cervical cancer as provided in section  
 249A.3, subsection 2, paragraph "b":  
 ..... \$ 250,000  
 4. To the department of human services to continue the  
 supplementation of the medical assistance appropriation:  
 ..... \$ 14,346,750  
 Of the amount appropriated in this subsection, \$100,000 shall  
 be used to continue the efforts of the Iowa chronic care  
 consortium.  
 5. To the Iowa department of public health:  
 a. For the tobacco use prevention and control initiative,  
 including efforts at the state and local levels, as provided  
 in chapter 142A and for not more than the following full-time  
 equivalent positions:  
 ..... \$ 5,000,000  
 ..... FTEs 7.00  
 (1) The director of public health shall dedicate  
 sufficient resources to promote and ensure retailer compliance  
 with tobacco laws and ordinances relating to persons under 18  
 years of age, and shall prioritize the state's compliance in  
 the allocation of available funds to comply with 42 U.S.C. }  
 300x=26 and section 453A.2.  
 (2) Of the full-time equivalent positions funded under  
 this section, two full-time equivalent positions shall be  
 utilized to provide for enforcement of tobacco laws,  
 regulations, and ordinances under a chapter 28D agreement  
 entered into between the Iowa department of public health and  
 the alcoholic beverages division of the department of  
 commerce.  
 (3) Of the funds appropriated in this paragraph "a", not  
 more than \$525,759 shall be expended on administration and  
 management of the program.  
 (4) Of the funds appropriated in this paragraph "a", not  
 less than 80 percent of the amount expended in the fiscal year  
 beginning July 1, 2001, for community partnerships shall be  
 expended in the fiscal year beginning July 1, 2003, for that  
 purpose.  
 b. For a grant to a program that utilizes high school  
 mentors to teach life skills, violence prevention, and  
 character education in an effort to reduce the illegal use of  
 alcohol, tobacco, and other substances:  
 ..... \$ 400,000  
 c. For provision of smoking cessation products as provided  
 in this paragraph:  
 ..... \$ 75,000  
 The department shall award grants to free health clinics  
 that are tax-exempt organizations pursuant to 26 U.S.C. } 501  
 (c)(3) to fund the provision of smoking cessation products to  
 patients. The department shall adopt a methodology for the  
 awarding of the grants to the health clinics based upon the  
 order of receipt of applications.  
 d. For additional substance abuse treatment under the  
 substance abuse treatment program:  
 ..... \$ 11,800,000  
 (1) The department shall use funds appropriated in this  
 paragraph "d" to enhance the quality of and to expand the  
 capacity to provide 24-hour substance abuse treatment  
 programs.  
 (2) The department shall use funds appropriated in this  
 paragraph "d" to expand the length of individual client  
 substance abuse treatment plans, as necessary to reduce  
 program recidivism.  
 (3) The department shall use funds appropriated in this  
 paragraph "d" to share research-based best practices for  
 treatment with substance abuse treatment facilities.  
 (4) The department shall use funds appropriated in this  
 paragraph "d" to develop a results-based funding approach for  
 substance abuse treatment services.  
 (5) The department shall use funds appropriated in this  
 paragraph "d" to develop a program to encourage individuals

5 17 who are successfully managing their substance abuse problems  
 5 18 to serve as role models.  
 5 19 (6) The department shall submit a report annually by March  
 5 20 1, to the governor and the general assembly delineating the  
 5 21 success rates of the substance abuse treatment programs that  
 5 22 receive funding under this paragraph "d".  
 5 23 e. For the healthy Iowans 2010 plan within the Iowa  
 5 24 department of public health and for not more than the  
 5 25 following full-time equivalent positions:  
 5 26 ..... \$ 2,346,960  
 5 27 ..... FTEs 4.00  
 5 28 (1) Of the funds appropriated in this paragraph "e", not  
 5 29 more than \$1,157,482 shall be used for core public health  
 5 30 functions, including home health care and public health  
 5 31 nursing services, contracted through a formula by local boards  
 5 32 of health, to enhance disease and injury prevention services.  
 5 33 (2) Of the funds appropriated in this paragraph "e", not  
 5 34 more than \$387,320 shall be used for the continuation and  
 5 35 support of a coordinated system of delivery of trauma and  
 6 1 emergency medical services.  
 6 2 (3) Of the funds appropriated in this paragraph "e", not  
 6 3 more than \$437,000 shall be used for the state poison control  
 6 4 center.  
 6 5 (4) Of the funds appropriated in this paragraph "e", not  
 6 6 more than \$288,770 shall be used for the development of  
 6 7 scientific and medical expertise in environmental  
 6 8 epidemiology.  
 6 9 (5) Of the funds appropriated in this paragraph "e", not  
 6 10 more than \$76,388 shall be used for the childhood lead  
 6 11 poisoning prevention program.  
 6 12 6. To the department of corrections:  
 6 13 ..... \$ 920,000  
 6 14 a. Of the funds appropriated in this subsection, \$127,217  
 6 15 is allocated to the second judicial district department of  
 6 16 correctional services to replace expired federal funding for  
 6 17 day programming.  
 6 18 b. Of the funds appropriated in this subsection \$35,359 is  
 6 19 allocated to the third judicial district department of  
 6 20 correctional services to replace expired federal funding for  
 6 21 the drug court program.  
 6 22 c. Of the funds appropriated in this subsection, \$191,731  
 6 23 is allocated to the fourth judicial district department of  
 6 24 correctional services for a drug court program.  
 6 25 d. Of the funds appropriated in this subsection, \$255,693  
 6 26 is allocated to the fifth judicial district department of  
 6 27 correctional services to replace expired funding for the drug  
 6 28 court program.  
 6 29 e. Of the funds appropriated in this subsection \$310,000  
 6 30 is allocated to the Newton correctional facility for a value=  
 6 31 based treatment program. A portion of the funds allocated in  
 6 32 this paragraph may be used to establish a similar value=based  
 6 33 treatment program at the Iowa correctional institution for  
 6 34 women at Mitchellville.  
 6 35 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS ==  
 7 1 REIMBURSEMENT INCREASE. There is appropriated from the  
 7 2 healthy Iowans tobacco trust created in section 12.65 to the  
 7 3 property tax relief fund created in section 426B.1 for the  
 7 4 fiscal year beginning July 1, 2003, and ending June 30, 2004,  
 7 5 the following amount, or so much thereof as is necessary, to  
 7 6 be used for the purposes designated:  
 7 7 For assistance to the counties with limited county mental  
 7 8 health, mental retardation, and developmental disabilities  
 7 9 services fund balances which were selected in accordance with  
 7 10 2000 Iowa Acts, chapter 1221, section 3, to receive such  
 7 11 assistance in the same amount provided during the fiscal year  
 7 12 beginning July 1, 2000, and ending June 30, 2001, to pay  
 7 13 reimbursement increases in accordance with 2000 Iowa Acts,  
 7 14 chapter 1221, section 3:  
 7 15 ..... \$ 146,750  
 7 16 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from  
 7 17 the healthy Iowans tobacco trust created in section 12.65, to  
 7 18 the Iowa empowerment fund created in section 28.9 for the  
 7 19 fiscal year beginning July 1, 2003, and ending June 30, 2004,  
 7 20 for deposit in the school ready children grants account and  
 7 21 for distribution as provided in this section:  
 7 22 ..... \$ 2,153,250  
 7 23 Sec. 4. DEPARTMENT OF CORRECTIONS == SPECIAL NEEDS UNIT.  
 7 24 There is appropriated from the healthy Iowans tobacco trust  
 7 25 created in section 12.65, to the department of corrections for  
 7 26 the fiscal year beginning July 1, 2003, and ending June 30,  
 7 27 2004, the following amount, or so much thereof as is

7 28 necessary, to be used for the purpose designated:  
7 29 For operating the special needs unit at the Fort Madison  
7 30 correctional facility and for not more than the following  
7 31 full-time equivalent positions:  
7 32 ..... \$ 1,100,000  
7 33 ..... FTEs 17.87

7 34 Sec. 5. RISK POOL APPROPRIATION == TRANSFER.  
7 35 Notwithstanding 2002 Iowa Acts, chapter 1175, section 104,  
8 1 subsection 1, paragraph "b", as amended by 2003 Iowa Acts,  
8 2 House File 667, section 41, if enacted, moneys appropriated  
8 3 for the fiscal year beginning July 1, 2003, and ending June  
8 4 30, 2004, for deposit in the risk pool pursuant to that  
8 5 paragraph shall be transferred to the medical assistance  
8 6 appropriation for the same fiscal year.

8 7 Sec. 6. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER.  
8 8 In addition to the amount transferred pursuant to section  
8 9 12E.12, subsection 1, paragraph "b", subparagraph (2),  
8 10 subparagraph subdivision (b), \$5,206,960 is transferred from  
8 11 the endowment for Iowa's health account of the tobacco  
8 12 settlement trust fund created in section 12E.12 to the healthy  
8 13 Iowans tobacco trust created in section 12.65 for the fiscal  
8 14 year beginning July 1, 2003, and ending June 30, 2004.

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8 19 CHRISTOPHER C. RANTS  
8 20 Speaker of the House

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8 24 MARY E. KRAMER  
8 25 President of the Senate

8 26 I hereby certify that this bill originated in the House and  
8 27 is known as House File 685, Eightieth General Assembly.

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8 31 \_\_\_\_\_  
8 32 MARGARET THOMSON  
8 33 Chief Clerk of the House

8 34 Approved \_\_\_\_\_, 2003

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9 1 \_\_\_\_\_  
9 2 THOMAS J. VILSACK  
9 3 Governor